

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BERTRAM HIRSCH and IGOR
ROMANOV, on behalf of themselves and
all others similarly situated,

Plaintiffs,

vs.

CITIBANK N.A.,

Defendant.

Case No. 12 Civ. 1124 (DAB)(JLC)

Class Action

NOTICE OF MOTION

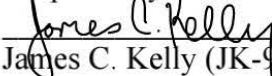
PLEASE TAKE NOTICE that based on the Joint Declaration of Samuel P. Sporn, Esq. and James C. Kelly, Esq. in Support of Final Approval of Class Action Settlement, and the Memorandum of Law In Support of Final Approval of Class Action Settlement, Plaintiffs Bertram Hirsch and Igor Romanov (“Plaintiffs”), by and through their counsel, will move the Court, on January 31, 2018, at 4:00 pm, or at such other date and time later determined by the Court, before the Honorable Deborah A. Batts, at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York 10007, pursuant to Federal Rule of Civil Procedure 23, for the entry of an Order:

1. Approving the Settlement Agreement and Release (“Settlement”), entered into between Plaintiffs, on behalf of themselves and all others similarly situated, and defendant Citibank, N.A. (“Defendant”);
2. Certifying, for settlement purposes, the proposed Settlement Class;

3. Approving the parties' forms of notice and notice program, and directing the Parties and Settlement Administrator to implement the Settlement in accordance with the terms and provisions of the Agreement, including the processing and payment of Settlement Class Members' claims;
4. Permanently barring and enjoining Settlement Class Members from commencing, instituting, continuing, pursuing, maintaining, prosecuting or enforcing any Released Claims against Defendant;
5. Awarding Class Counsel attorneys' fees and Plaintiffs a service award as requested; and
6. Dismissing the Action, with prejudice, without costs to any party, except as expressly provided for in the Agreement.

Dated: December 18, 2017
New York, New York

Respectfully submitted,



James C. Kelly (JK-9616)

The Law Office Of James C. Kelly

244 5th Avenue, Suit K-278

New York, New York 10001

Tel: 212-920-5042

Fax: 888-224-2078

Email: jkelly@jckellylaw.com

Samuel P. Sporn, Esq. (SPS-4444)

Schoengold & Sporn, P.C.

World Wide Plaza

393 West 49th Street

Suite 5HH

New York, NY 10019

Tel: 212-964-0046

Email: sporn@spornlaw.com

Attorneys for plaintiffs and the class